



1 the Riverside, California office of the United States Drug  
2 Enforcement Administration ("DEA"). As a DEA Task Force Officer,  
3 defendant VIGIL was a "public official" within the meaning of  
4 Title 18, United States Code, Section 201(a)(1), because he was a  
5 person authorized to act for and on behalf of the United States  
6 and the DEA, an agency of the United States Government.

7 2. Defendant LAWRENCE ANTHONY WITSOE ("WITSOE") was a  
8 criminal defense attorney with an office in Santa Ana,  
9 California.

10 3. In June 2009, the Orange County District Attorney's  
11 Office ("OCDA") charged an individual (hereinafter referred to as  
12 "CS") with misdemeanor assault and battery in the Superior Court  
13 of the State of California, County of Orange, (hereinafter, "the  
14 State Assault Case"), and CS retained defendant WITSOE to  
15 represent him in the State Assault Case.

16 B. OBJECT OF THE CONSPIRACY

17 4. Beginning on a date unknown, but as early as in or  
18 around June 2009, and continuing to on or about December 24,  
19 2009, in Orange County, within the Central District of  
20 California, defendant VIGIL and defendant WITSOE, together with  
21 other persons, conspired and agreed with each other to corruptly  
22 demand, seek, receive, accept, and agree to receive and accept a  
23 bribe, in violation of Title 18, United States Code, Section  
24 201(b)(2).

25 C. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE  
26 ACCOMPLISHED

27 5. The object of the conspiracy was to be accomplished in  
28 substance as follows:

1           a. Defendant WITSOE would offer to CS the opportunity  
2 to participate in a fraudulent scheme in which, in exchange for  
3 CS's agreement to pay \$2,500 over and above defendant WITSOE's  
4 standard fee, defendant WITSOE and a "DEA agent," namely,  
5 defendant VIGIL, would ask the OCDA to dismiss or provide some  
6 favorable disposition of the State Assault Case based on false  
7 representations that CS had cooperated with and provided  
8 substantial assistance to the DEA.

9           b. After seeking and obtaining CS's agreement to pay  
10 the bribe money and agreeing to accept the payment for defendant  
11 VIGIL, defendant WITSOE would provide the OCDA with defendant  
12 VIGIL's contact information.

13           c. Defendant VIGIL would contact the OCDA and falsely  
14 represent that CS had previously cooperated with the DEA by  
15 providing information regarding subjects involved in drug-  
16 trafficking activities.

17           d. After making such false representations to the  
18 OCDA and being advised that the State Assault Case would be  
19 dismissed, defendant VIGIL would notify defendant WITSOE of the  
20 dismissal and cause defendant WITSOE to seek and obtain payment  
21 of the bribe money from CS.

22           e. Defendant WITSOE would tell CS to deposit the  
23 \$2,500 bribe payment into defendant WITSOE's trust account, from  
24 which defendant WITSOE would disburse the funds, as defendant  
25 VIGIL directed, to trusted intermediaries, namely, A.F.S., a  
26 close personal friend of defendant VIGIL, and A.F.S.'s former  
27 wife.

1 D. OVERT ACTS

2 6. In furtherance of the conspiracy and to accomplish the  
3 object of the conspiracy, defendant VIGIL and defendant WITSOE,  
4 together with other persons, committed and caused others to  
5 commit various overt acts in Orange County, within the Central  
6 District of California, including but not limited to the  
7 following:

8 OVERT ACT #1: In or around September 2009, defendant  
9 WITSOE told CS that, in exchange for CS's payment of an extra  
10 \$1,000, defendant WITSOE could potentially get CS's case  
11 dismissed by having a DEA agent call the OCDA and falsely tell  
12 the OCDA that CS had cooperated with the DEA.

13 OVERT ACT #2: On or about November 10, 2009, defendant  
14 VIGIL, identifying himself as a law enforcement officer with the  
15 DEA, contacted Deputy District Attorney ("DDA") R.Z. via  
16 telephone, falsely stated that CS had performed work for the DEA,  
17 and asked that the OCDA consider CS's work in determining the  
18 proper resolution of CS's State Assault Case.

19 OVERT ACT #3: On or about November 17, 2009, defendant  
20 WITSOE told CS that, in exchange for \$2,500, defendant WITSOE  
21 could get CS's State Assault Case dismissed or reduced by having  
22 a DEA agent falsely represent to the OCDA that CS had cooperated  
23 with the DEA.

24 OVERT ACT #4: On or about November 20, 2009, defendant  
25 WITSOE told CS that if the State Assault Case were dismissed, CS  
26 should transmit the payment for the dismissal to defendant  
27 WITSOE's investigator, who would then pay another person.  
28

1       OVERT ACT #5: On or about November 20, 2009, defendant  
2 WITSOE told CS that, if CS agreed to pay an extra \$2,500 in  
3 exchange for dismissal of his case, defendant WITSOE would  
4 provide the DEA agent's contact information to the DDA handling  
5 CS's State Assault Case.

6       OVERT ACT #6: On or about November 24, 2009, defendant  
7 WITSOE gave defendant VIGIL's contact information to DDA R.Z.,  
8 told DDA R.Z. that CS had worked with the DEA, and requested a  
9 dismissal of the State Assault Case in exchange for CS's  
10 assistance.

11       OVERT ACT #7: On or about December 3, 2009, defendant VIGIL  
12 called Senior DDA D.H., identified himself as a DEA Task Force  
13 Officer, and falsely represented that CS provided: (a) reliable  
14 information related to narcotics cases; (b) reliable information  
15 related to the DEA's seizure of \$110,000; and (c) reliable  
16 information regarding a person who was a main target of a Los  
17 Angeles Sheriff's Department investigation.

18       OVERT ACT #8: On or about December 4, 2009, defendant  
19 WITSOE left a voicemail message for CS, stating that he needed to  
20 talk with CS and instructing CS to "[m]ake sure you don't talk to  
21 anybody."

22       OVERT ACT #9: On or about December 6, 2009, defendant  
23 WITSOE gave CS defendant VIGIL's name and cellular telephone  
24 number and the facts of the fraudulent story provided by  
25 defendant VIGIL to the Senior DDA so that CS could repeat the  
26 information in the event the OCDA or the DEA contacted CS about  
27 his purported cooperation.  
28

1       OVERT ACT #10: On or about December 7, 2009, defendant  
2 VIGIL sent Senior DDA D.H. an e-mail reaffirming that CS had  
3 worked with the DEA on separate occasions in the past and noting  
4 that defendant VIGIL would be happy to work with CS again in the  
5 future if CS wanted to provide "more information."

6       OVERT ACT #11: On or about December 7, 2009, defendant  
7 VIGIL forwarded an e-mail to defendant WITSOE from the OCDA which  
8 stated that CS's State Assault Case would be dismissed based on  
9 defendant VIGIL's representations of CS's work with the DEA.

10       OVERT ACT #12: On or about December 7, 2009, defendant  
11 WITSOE told CS that his case was being dismissed and directed CS  
12 to deposit \$2,500 into defendant WITSOE's trust account.

13       OVERT ACT #13: On or about December 7, 2009, defendant  
14 WITSOE forwarded to CS the OCDA e-mail regarding dismissal of  
15 CS's case and provided CS with the routing number for defendant  
16 WITSOE's trust account.

17       OVERT ACT #14: On or about December 8, 2009, defendant  
18 WITSOE instructed CS: (a) not to discuss the fraud with anyone;  
19 (b) to deposit the \$2,500 into defendant WITSOE's account as soon  
20 as possible; and (c) to delete the e-mail that defendant WITSOE  
21 sent to CS the previous night.

22       OVERT ACT #15: On or about December 10, 2009, defendant  
23 WITSOE signed a check in the amount of \$2,500 payable to Y.C.,  
24 A.F.S.'s former wife, with the memo line stating "Client  
25 Reimbursement."  
26  
27  
28

COUNT TWO

[18 U.S.C. § 201(b)(1); § 2]

7. The Grand Jury hereby repeats and incorporates herein paragraphs one through three above.

8. Beginning in or around September 2009, and continuing to on or about December 24, 2009, in Orange County, within the Central District of California, defendant WITSOE, directly and indirectly, corruptly gave, offered, and promised a thing of value, namely, money in the amount of \$2,500, to defendant VIGIL, a public official, and offered and promised defendant VIGIL to give such thing of value to another person, namely, defendant VIGIL's friend, A.F.S., with the intent to influence an official act and to induce such public official to do and omit to do an act in violation of the lawful duty of such official, specifically, having defendant VIGIL, in his capacity as a DEA Task Force Officer, contact the Orange County District Attorney's Office and ask that it dismiss the State Assault Case against CS based on false representations that CS had cooperated with the DEA.

COUNT THREE

[18 U.S.C. § 201(b)(2); § 2]

9. The Grand Jury hereby repeats and incorporates herein paragraphs one through three above.

10. Beginning in or around September 2009, and continuing to on or about December 24, 2009, in Orange County, within the Central District of California, defendant VIGIL, being a public official, directly and indirectly, corruptly demanded, sought, received, accepted, and agreed to receive and accept something of value, that is, money in the amount of \$2,500, personally and for another person, namely, defendant VIGIL's friend, A.F.S., in return for defendant VIGIL being influenced in the performance of official acts and being induced to do and omit to do an act in violation of the official duty of such official, specifically, having defendant VIGIL, in his capacity as a DEA Task Force Officer, contact the Orange County District Attorney's Office and ask that it dismiss the State Assault Case against CS based on false representations that CS had cooperated with the DEA.

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1 11. At the above time and place, defendant WITSOE aided,  
2 abetted, counseled, induced, and procured the commission of the  
3 offense alleged above in this Count.

4 A TRUE BILL

5 /S/  
6

7 Foreperson

8  
9 ANDRÉ BIROTTE JR.  
United States Attorney

10   
11 ROBERT E. DUGDALE  
12 Assistant United States Attorney  
Chief, Criminal Division

13 DENNISE D. WILLETT  
14 Assistant United States Attorney  
Chief, Santa Ana Branch Office

15 TERRI K. FLYNN  
16 Assistant United States Attorney  
Deputy Chief, Santa Ana Branch Office

17 ROBERT J. KEENAN  
18 Assistant United States Attorney